PTO/SB/25 (08-03)

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MINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

IL-10404

In re Application of:	Robin R. Miles
Application No.:	09/738,927
Filed:	12/13/2000
For:	USING IMPEDANCE MEASUREMENTS FOR DETECTING PATHOGENS TRAPPED
	IN AN ELECTRIC FIELD

03/29/2004 03 FC:2814

The owner*, see below, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/738,461, filed on 12/13/00, of any patent on the pending second application. The owner hereby agrees that any patent so

granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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orporation, partnership, university, government agency, of the organization.
own knowledge are true and that all statements made on ese statements were made with the knowledge that willful imprisonment, or both, under Section 1001 of Title 18 of ay jeopardize the validity of the application or any patent
Me 9. Out 3/24/2004
Signature Date
Eddie E. Scott
Typed or printed name
(925) 424-6897

Terminal disclaimer fee under 37 CFR 1.20(d) is included. \$55.00

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

IL-10404

In re Application of:	Robin R. Miles				
Application No.:	09/738,927				
Filed:	12/13/2000				
For:	USING IMPEDANCE MEASUREM IN AN ELECTRIC FIELD	ENTS FOR DETECTING	PATHOGENS TRAPPED		
beyond the expiration dadisclaimer filed prior to the filed on 11/15/01 granted on the instant appression application are control binding upon the grantee. In making the all application that would expatent granted on the seevent that any such grant a court of competent juriclaims canceled by a rees	e below , of 100 percent in nal part of the statutory term of any part ate of the full statutory term defined in the grant of any patent granted on pen , of any patent on the pending second polication shall be enforceable only for a commonly owned. This agreement runs its successors or assigns. Shove disclaimer, the owner does not distend to the expiration date of the full second application, as shortened by any ted patent: expires for failure to pay a statutorion disclaimed in whick amination certificate, is reissued, or is sed by any terminal disclaimer filed prior	n 35 U.S.C. 154 and 173 as ding second Application Num diapplication. The owner here and during such period that it a with any patent granted on the claim the terminal part of any statutory term as defined in 33 y terminal disclaimer filed primaintenance fee, is held uner note or terminally disclaimed is in any manner terminated primains.	oblication, which would extend is shortened by any terminal liber 09/993,870 by agrees that any patent so and any patent granted on the instant application and is patent granted on the instant 5 U.S.C. 154 and 173 of any for to the patent grant, in the inforceable, is found invalid by under 37 CFR 1.321, has all		
*The Regents of Check either box 1 or 2	the University of Californ below, if appropriate.	nia			
For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.					
information and belief are false statements and the	that all statements made herein of my believed to be true; and further that the like so made are punishable by fine of and that such willful false statements n	nese statements were made v r imprisonment, or both, unde	with the knowledge that willfuler Section 1001 of Title 18 of		
2. The undersign	ed is an attorney or agent of record.	Mes O.H	3/14/2004		
4 AWONDAF1 00000014 12069	5 09738927	Signature	Date		
4 55.00 DA		Eddie E. Scott			
		Typed or print	ed name		
	·	(925) 424-6897			
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MINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

HAN				1L-10404
	In re Application of:	Robin R. Miles		-
	Application No.:	09/738,927		
	Filed:	12/13/2000		
	For:	USING IMPEDANCE MEASURED IN AN ELECTRIC FIELD	MENTS FOR DETECTING	PATHOGENS TRAPPED
	provided below, the termin beyond the expiration dadisclaimer filed prior to the filed on 12/14/00 granted on the instant appropriation are composed in making the absolute application that would expatent granted on the seevent that any such granted a court of competent jurisclaims canceled by a ree	e below, of 100 percent is nal part of the statutory term of any pate of the full statutory term defined e grant of any patent granted on pe, of any patent on the pending secondication shall be enforceable only for a smmonly owned. This agreement run its successors or assigns. The owner does not defend to the expiration date of the full cond application, as shortened by an ed patent: expires for failure to pay a statutorily disclaimed in vectors in the condition of the full condition, is statutorily disclaimed in vectors of the full disclaimed in vectors of the full disclaimed in vectors.	atent granted on the instant ap in 35 U.S.C. 154 and 173 a nding second Application Number and application. The owner here and during such period that it as with any patent granted on sisclaim the terminal part of any statutory term as defined in 3 by terminal disclaimer filed primaintenance fee, is held unerwhole or terminally disclaimed is in any manner terminated p	plication, which would extend is shortened by any terminal or 109/737,542. The parents of the instant application and is patent granted on the instant application and is patent granted on the instant 5 U.S.C. 154 and 173 of any or to the patent grant, in the inforceable, is found invalid by under 37 CFR 1.321, has all
	-	the University of Califor	_	
	1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government ager etc.), the undersigned is empowered to act on behalf of the organization.			
	I hereby declare that all statements made herein of my own knowledge are true and that all state information and belief are believed to be true; and further that these statements were made with the knowl false statements and the like so made are punishable by fine or imprisonment, or both, under Section 100 the United States Code and that such willful false statements may jeopardize the validity of the application issued thereon.			vith the knowledge that willful er Section 1001 of Title 18 of
	2. The undersigned	ed is an attorney or agent of record.	Signature	3/24/2004 Date
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03/29/20	4 AWONDAF1 00000014 12069	95 09738927	Eddie E. Scott	
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	Terminal disclaimer	fee under 37 CFR 1.20(d) is included	. \$55.00	
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Date

Kathy E. Raymond

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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iles L	Docket No. :	IL-10404	
A	Art Unit :	1753	
E	Examiner :	Alan D. Diamond	
PEDANCE MEASURE	MENTS FOR	DETECTING	
PATHOGENS TRAPPED IN AN ELECTRIC FIELD			
	PEDANCE MEASURE	Art Unit : Examiner : PEDANCE MEASUREMENTS FOR	

Commissioner of Patents Alexandria, VA 22313-1450

AUTHORIZATION FOR FEE PAYMENT FOR THREE TERMINAL DISCLAIMERS TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

- 1. A response in connection with the matter for which this authorization is provided:
 - is filed herewith
 - has been filed.
 - the response is the filing of a file wrapper or other continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.
- 2. Applicant is
 - a small entity verified statement:
 - attached
 - already filed.
 - other than a small entity

3. Fee Payment

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■ Charge Account <u>No. 12-0695</u> for any additional extension and/or fee required or credit for any excess fee paid.

Dated: Myr. 4 24, 2004

Reg No.: 25,220

Tel. No.: (925) 424-6897

Eddie E. Scott

P.O. Box 808, L-703 Livermore, CA 94551